



SUPERFUND PROCESS OVERVIEW



Responding to growing concern over public health and environmental threats from uncontrolled releases of hazardous materials, in December 1980 Congress passed the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund. CERCLA established a program to:

- Identify sites where hazardous substances have been, or might be, released into the environment.
- Ensure these sites are cleaned up by responsible parties or the government.
- Create a claims procedure for parties who have cleaned up sites or spent money to restore natural resources.

Definitions

Administrative Record - Section 113(k) of the statute provides for the establishment of an administrative record file at or near each National Priorities List (NPL) site. This file contains the information used by the lead agency to make decisions on the selection of a response action. It provides a legal basis for challenging and defending response action decisions. Depending on the type of response action required for a site (i.e., removal or remedial), the regulations specify when the Administrative Record must be put in place. The Administrative Record for the site can be found at the Vaughn Public Library in Ashland

Applicable or Relevant and Appropriate Requirements (ARARs) - ARARs are cleanup standards, standards of control, and other substantive requirements, criteria, or regulations promulgated under federal or state environmental or facility siting law, which specifically address a hazardous substance, action, or other circumstances of a site. Relevant and appropriate requirements are federal or state requirements, criteria, or limitations that do not specifically address the response, but address situations similar to those encountered at a site.

Facility - A facility is any building, structure, installation, equipment, pipe or pipeline, well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, vehicle, stock, or aircraft, or any site or area, where a hazardous substance has been

deposited, stored, disposed of, or placed; but does not include any consumer product in consumer use or any vessel (CERCLA §101(9)).

Feasibility Study - A feasibility study (FS) is a study and analysis process for developing, evaluating, and selecting remedial actions. The term also refers to the report which describes the results of the study.

Hazardous substance - Defined in CERCLA §101(14), a hazardous substance includes any substance designated pursuant to §§307(a) or 311(b)(2)(A) of the Federal Water Pollution Control Act, §102 of CERCLA, §3001 of RCRA, §112 of the Clean Air Act, or §7 of the Toxic Substances Control Act (TSCA). The definition specifically excludes any form of petroleum unless it is mixed with a hazardous substance not inherent in the petroleum. CERCLA hazardous substances are listed in a table codified in 40 CFR §302.4.

Lead agency - The lead agency (e.g., EPA, state, or an Indian tribe) provides the on-scene coordinator and remedial project manager (OSC/RPM) to plan and implement response actions under the NCP.

National Priorities List - Established pursuant to CERCLA §105(a)(8), the NPL is a list of abandoned or uncontrolled hazardous substance sites that are priorities for long-term remediation.

Operable Unit - An operable unit is a discrete part of a response action, such as groundwater cleanup or removal of contaminated soil. The cleanup of a site can be divided into a number of operable units depending on the complexity of the problems associated with the site.

Preliminary Assessment - A preliminary assessment (PA) is the review of existing site information to determine if a release may require additional investigation or action. A PA may include an on-site inspection if appropriate. This is the first step of the multi-step site assessment process. The term also refers to the document which reports the results of the assessment.

Record of Decision - A Record of Decision (ROD) documents the remedy decision for a site or operable unit. The ROD certifies that the remedy selection process has followed the requirements of CERCLA and the National Contingency Plan (NCP), and discusses the technical components of the remedy. The ROD also provides the public with a consolidated source of information about the site.

Remedial Actions - Remedial actions are actions documented in the ROD that are taken at NPL sites to eliminate or reduce the pollution to levels which prevent or minimize the release of hazardous substances so that they do not migrate or cause substantial danger to public health or welfare, or the environment. An example is to remove hazardous constituents from groundwater using pump and treat technologies.

Remedial Investigation - A remedial investigation (RI) is a data collection and site characterization process at an NPL site. The RI is necessary to determine the nature and extent of contamination at the site.

Remedial Project Manager - The Remedial Project Management (RPM) is an official predesignated by EPA, the U.S. Coast Guard, or the Department of Defense to coordinate, monitor, or direct remedial activities.

Removal Action - A removal action is a short-term federal response to prevent, minimize, or mitigate damage to the public or the environment at sites where hazardous substances have been released. Examples of removal actions are excavating contaminated soil, erecting a security fence, or stabilizing a berm, dike, or impoundment. Removal actions may also be necessary in the event of the threat of release of hazardous substances into the environment such as taking abandoned drums to a proper disposal facility. Removal actions may take place at NPL or non-NPL sites.

Response Action - Response action is a general term that includes both removal and remedial action, including any related enforcement actions.

Site Inspection - The second stage in the Superfund site assessment process, occurring after the PA, is known as the site inspection (SI). This part of the Superfund response process involves an on-site investigation to ascertain the extent of a release or potential for release and any risks involved. The SI usually involves sample collection and may also include the installation of groundwater monitoring wells.